

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SINGULARDTV GMBH,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No. 1:21-cv-6000

**SUPPLEMENTAL DECLARATION OF PATRIK ALLENSPACH IN SUPPORT
OF MOTION TO INTERVENE
OR, IN THE ALTERNATIVE, SUBSTITUTE COUNSEL**

Pursuant to 28 U.S.C. § 1746, I, PATRIK ALLENSPACH, state as follows:

1. I am a representative of SingularDTV GmbH (“SingularDTV” or the “Company”) and its Resident Signatory.
2. I submit this Declaration in support of SingularDTV’s Motion to Intervene, or, in the Alternative, Substitute Counsel as a supplement to my previous Declaration (Dkt. No. 14) in support of the same relief.
3. Attached as Exhibit 10 is a true and correct copy of the minutes from the September 11, 2018 Board meeting.
4. Attached as Exhibit 11 is a true and correct copy of the minutes from the December 12, 2018 Shareholders meeting.
5. Attached as Exhibit 12 is a true and correct copy of the minutes from the December 12, 2018 Board meeting.
6. Attached as Exhibit 13 is a true and correct copy of the minutes from the December 2, 2019 Board meeting.

7. Attached as Exhibit 14 is a true and correct copy of the minutes from the February 27, 2019 Shareholders meeting.

8. Attached as Exhibit 15 is a true and correct copy of the minutes from the May 2, 2019 Shareholders meeting.

9. Attached as Exhibit 16 is a true and correct copy of the minutes from the May 2, 2019 Board meeting.

10. Attached as Exhibit 17 is a true and correct copy of the minutes from the August 8, 2019 Board meeting.

11. Attached as Exhibit 18 is a true and correct copy of the minutes from the September 24, 2021 Shareholders meeting.

12. Attached as Exhibit 19 is a true and correct copy of the minutes from the May 27, 2021 Board meeting.

13. Attached as Exhibit 20 is a true and correct copy of a May 6, 2021 e-mail from Carl Volz to Zach LeBeau and Kim Jackson, copying Patrik Allenspach, attaching the Alleged Settlement Agreement and Mutual Release entered into between Mr. Arie Levy-Cohen and SingularDTV GmbH on May 6, 2021.

14. Attached as Exhibit 21 is a true and correct copy of the certified translated version of the Commercial Swiss Register.

15. Attached as Exhibit 22 is a true and correct copy of a February 13, 2020 e-mail from Amrita Rizal to Joseph Lubin, Arie Levy-Cohen, and Zach LeBeau.

16. Attached as Exhibit 23 is a true and correct copy of a February 14, 2020 e-mail from Zach LeBeau to Amrita Rizal, copying Joseph Lubin, Arie Levy-Cohen, Carl Volz, and Kim Jackson. Pursuant to the Court's Order Modifying the TRO in *SingularDTV GmbH v. LeBeau, et*

al., No. 1:21-cv-10130 (VEC) (ECF No. 25), I received access to these documents on or about December 3, 2021, which are Company records kept in the ordinary course of business.

17. Attached as Exhibit 24 is a true and correct copy of the May 19, 2021 Invitation to Meeting of the Board to be held on May 27, 2021 sent by Arie Levy-Cohen to all Managing Directors of the Company (the Board).

18. Attached as Exhibit 25 is a true and correct copy of a July 30, 2020 e-mail from Alicja Gniady to Patrik Allenspach.

19. Attached as Exhibit 26 is a true and correct copy of a May 5, 2021 e-mail from Edward Greenwood to Patrik Allenspach, Alicja Gniady, and Judy Wernsing.

20. Attached as Exhibit 27 is a true and correct copy of an April 16, 2021 e-mail from Edward Greenwood to Judy Wernsing and Patrik Allenspach.

21. Attached as Exhibit 28 is a true and correct copy of an April 23, 2021 e-mail from Patrik Allenspach to Zach LeBeau, Joseph Lubin, and Arie Levy-Cohen, copying Carl Volz and Michael Kriak.

22. On March 17, 2021, Edward Greenwood, Breaker LLC's Accountant, sent me an e-mail regarding the Company's financials providing "[i]f you look back in the history of GmbH records, there are interco payable transactions on 15 Jun 2018 and 24 Jun 2019, where we funded Writers Block LLC. The 4'675 was a return of most of the unused funds. You can look back at those transactions to see what accounts were originally debited, but my guess is that it was one of the film investment accounts." Attached as Exhibit 29 is a true and correct copy of the March 17, 2021 e-mail from Edward Greenwood to Patrik Allenspach.

23. On March 18, 2021, I conferred with Mr. Greenwood by telephone, and he informed me that Writer's Block is an entity owned by Zachary LeBeau and was founded for the

purpose of forming contracts with writers, alternatively to contracting them through “Writer’s Guild.” According to Mr. Greenwood, 599 ETH was sent from the Company to Breaker on or around May 4th, 2021 for the purpose of allocating it to Writer’s Block.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 23, 2021,

in the City of Zug, Switzerland



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